



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, 16 नवम्बर, 1970/25 कार्तिक, 1892

GOVERNMENT OF HIMACHAL PRADESH

ELECTION DEPARTMENT NOTIFICATIONS

Simla-2, the 16th November, 1970

No. 4-5/70-Elec.—In exercise of the powers conferred by section 60 of the Himachal Pradesh Panchayati Raj Act, 1968, the Administrator (Lieutenant Governor), Himachal Pradesh, proposes to make the following draft rules entitled as the Himachal Pradesh Gram Panchayat (Election) Rules, 1970 and the same are hereby published in the Official Gazette for the information of the general public and a notice is hereby given that these draft rules will be taken into consideration after 15 days from the date of publication in the Gazette.

If any person affected thereby, desires to take any objection or has any suggestion to make, regarding these draft rules he can send the same to the Secretary (Elections) to Himachal Pradesh Government, before the expiry of the above period. The objections or suggestion, if any, so received, will be taken into consideration before finalising such rules.

DRAFT RULES

PART I

1. (1) These rules may be called the Himachal Pradesh Gram Panchayat (Election) Rules, 1970.

Short title and commencement.

(2) They shall come into force at once.

2. In these rules, unless there is anything repugnant in the subject or the context,

Definitions.

(1) "Act" means the Himachal Pradesh Panchayati Raj Act, 1968.

- (2) "Agent" means any person appointed in writing by a candidate at an election to be his agent for the purposes of his election with the written consent of such person.
- (3) "Constituency" means a ward for the representation of which a Panch is or has been elected under these rules.
- (4) "Director of Elections (Local Bodies)" means any person who is appointed by the State Government to perform the functions of the Director of Elections (Local Bodies), for the purposes of these rules.
- (5) "Election" means an election held to elect a Panch of a Gram Panchayat.
- (6) "Returning Officer" means an officer appointed for the conduct of election and includes the Assistant Returning Officer.
- (7) "Polling Personnel" means the person or persons appointed to conduct or to assist in the conduct of election.
- (8) "Population" means the population of a Gram Sabha area according to the latest census held in the State.
- (9) "Form" means a form appended to these rules.
- (10) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

PART II

DELIMITATION OF CONSTITUENCIES (WARDS) AND PREPARATION OF ELECTORAL ROLLS OF GRAM PANCHAYAT

Delimitation of Constituencies (Wards).

3. The Deputy Commissioner shall delimit the constituencies of the Gram Sabha in accordance with the following scale:—

| | |
|--|----------|
| (1) Population not exceeding 500 | Seven |
| (2) Population exceeding 500 but not exceeding 1,000 | Nine |
| (3) Population exceeding 1,000 but not exceeding 1,500 | Eleven |
| (4) Population exceeding 1,500 but not exceeding 2,500 | Thirteen |
| (5) Population exceeding 2,500 | Fifteen: |

Provided that before issuing the final order delimiting the constituencies, the Deputy Commissioner or any officer authorised by him shall hear objections if any in respect thereof, for which a public notice shall be given.

Preparation of electoral rolls for Gram Sabha.

4. The electoral roll of the Legislative Assembly for the time being in force as provided in sub-section (3) of section 5 of the Act and pertaining to the Sabha area shall be split-up into the constituencies as delimited under rule 3. Hand written in ink or typed or cyclostyled copies of the roll as required shall be prepared under the directions of the Deputy Commissioner.

PART III

ELECTION TO GRAM PANCHAYATS

Election programme. 5. (1) The Deputy Commissioner shall frame a programme for election in a Gram Sabha specifying the date, time and place for:

- (i) the filing of nomination papers;
- (ii) the scrutiny of nomination papers;
- (iii) the withdrawal of nomination papers;
- (iv) the list of contesting candidates to be affixed;
- (v) the list of polling stations to be posted;
- (vi) the poll to be held, which shall be from 9.00 A.M. to 5.00 P.M.;
- (vii) the counting of ballot papers; and
- (viii) the declaration of result of election.

(2) The election programme shall be published not less than ten days before the first date specified in the election programme by pasting a copy at the office of the Deputy Commissioner, Tehsildar concerned, at the office of Gram Sabha and at other conspicuous places as the Deputy Commissioner may think fit. Due publicity may also be given in any other manner considered appropriate by the Deputy Commissioner.

(3) The Deputy Commissioner may by an order amend, vary or modify the election programme at any time, provided that unless the Deputy Commissioner directs otherwise, no such order shall invalidate any proceeding already taken before the date of the order.

(4) The nomination papers shall be filed on a specified date and the date of scrutiny shall be the next working day from the date of filing of nomination paper. The date of withdrawal shall be the third working day from the date of scrutiny. The date for affixing the list of contesting candidates shall be the same as fixed for the last date of withdrawal of candidature. The list of polling stations shall be published immediately after the date of withdrawal. The gap between the date of withdrawal and the date of poll shall not be less than 21 days and the date of poll shall preferably be a Sunday or any gazetted holiday:

Provided that no nomination paper or withdrawal application shall be delivered on a day which is a public holiday:

Provided further that the nomination paper or withdrawal application shall be delivered on a day fixed for the purpose between the hours from 11 A.M. to 3 P.M.

(5) The nomination paper and the application for withdrawal of candidature shall be presented by the candidate or by his agent to the Returning Officer of the Gram Sabha appointed by the Deputy Commissioner, in forms 1 and 2 as the case may be:

Provided that a candidate shall not file more than four nomination papers for election in the same constituency:

Provided further that a candidate belonging to a Scheduled Caste or Scheduled Tribe shall furnish a declaration to the Returning Officer of the particular caste to which he belongs.

(6) The Returning Officer shall at the appointed time, examine the nomination papers received on the date specified for that purpose and shall hear the objections, if any, made to him as to the eligibility of any candidate and shall decide the objections after such enquiry as he may consider necessary. The decision of rejecting or accepting a nomination paper and a brief reason thereof shall be endorsed on the nomination paper by the Returning Officer:

Provided that the Returning Officer may permit any clerical error in the nomination papers in regards to the name or numbers to be corrected in order to bring them in conformity with the corresponding entry in the electoral rolls, and where necessary direct that any clerical or printing error shall be overlooked:

Provided further that the person objecting under the aforesaid rule must be an elector of that Gram Sabha.

6. The Deputy Commissioner shall appoint a Returning Officer for conduct of election in respect of all the constituencies of a Gram Sabha. The Deputy Commissioner shall also appoint one or more Assistant Returning Officers who shall assist the Returning Officer in his duties in connection with the election. The Assistant Returning Officer shall perform all or any of the duties of the Returning Officer.

Appointment of
Returning
Officer and
Assistant
Returning
Officer.

Explanation.—The Returning Officer shall perform all duties regarding elections of Gram Sabha for which he has been appointed. He shall perform all functions from filing of nomination papers upto the declaration of result.

Allotment of symbols to candidates.

7. The Director of Elections (Local Bodies) shall prescribe by notification the symbols for allotment in the elections.

The Returning Officer shall on the expiry of the date of withdrawal of candidature allot one symbol, according to the serial numbers in the list of contesting candidates, out of the approved symbols in accordance with the serial number of such symbols, in the notification. No candidate shall be given a choice to select his own symbol.

Deposit, return or forfeiture of deposit.

8. (1) A candidate shall not be deemed to be duly nominated unless he deposits or causes to be deposited a sum of Rs. 30. In the case of a Scheduled Caste and Scheduled Tribe candidate, the amount of deposit shall be Rs. 15:

Provided that where a candidate has been nominated by more than one nomination paper for election in the same constituency not more than one deposit shall be required by him under this rule:

Provided further that the sum required to be deposited under this rule shall not be deemed to have been deposited unless at the time of delivery of the nomination paper under sub-rule (5) of rule 5 the candidate either deposits or causes to be deposited such sum with the Returning Officer in cash or encloses with the nomination paper a receipt in token of the sum which has been deposited by him on his behalf in Government Treasury.

(2) If a candidate by whom or on whose behalf the deposit has been made withdraws his candidature within the time specified or if the nomination of any such candidate is rejected, the deposit shall be returned to the person by whom it was made or if such person is dead, to his legal representative as soon as practicable.

(3) If a contesting candidate is not elected and the number of valid votes polled by him does not exceed one/sixth of the total number of valid votes polled, the deposit shall be forfeited to the Government.

(4) The deposit shall, where it is not forfeited under sub-rule (3), be returned to the candidate by whom it was made or if he is dead, to his legal representative, after the notification of the result of the election is issued.

Uncontested elections.

9. If there is one contesting candidate in a constituency he shall be deemed elected from that constituency and his declaration of result shall be made immediately after the time fixed for withdrawal of candidature, in form 3. In a case where for a constituency no nomination paper has been filed or no validly nominated candidate exists, the Deputy Commissioner shall prepare another election programme for that constituency under rule 5 for filling up the vacancies.

List of Contesting Candidates and form of ballot paper.

10. (1) Immediately after the time for withdrawal the Returning Officer shall prepare a list of contesting candidates in form 4 constituency-wise of the Gram Sabha and send the same to the Deputy Commissioner through special messenger and send a copy by express delivery to the Director of Elections (Local Bodies), Himachal Pradesh, Simla and also affix a copy of the same on the notice board of the office of the Gram Sabha. The list shall be prepared in Dev Nagari script in alphabetical order.

(2) The Deputy Commissioner immediately on receipt of the lists of contesting candidates shall intimate to the Director of Elections (Local Bodies) telegraphically the number of contesting candidates constituency-wise of the Gram Sabha along with requirement of ballot papers. Immediately

on receipt of the information, the Director of Elections (Local Bodies), shall get printed the ballot papers in form 5 and supply the required number of ballot papers to the respective Deputy Commissioner. The ballot papers so prepared shall be in Dev Nagari script and the names of the candidates shall be in the same order in which they appear on the list of contesting candidates. The ballot papers shall be either printed as a whole or partly printed and partly handwritten.

11. If a candidate whose nomination has been found valid on scrutiny under rule 5 (6) and who has not withdrawn his candidature under rule 5 (5) dies and a report of his death is received before the publication of the list of contesting candidates, under rule 10, or if a contesting candidate dies and a report of his death is received before the commencement of the poll, the Returning Officer shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Director of Elections (Local Bodies), and all proceedings with reference to the election shall be commenced anew in all respects as if for a new election:

Death of a candidate before poll.

Provided that no further nomination shall be necessary in the case of a person who was a contesting candidate at the time of the countermanding of the poll:

Provided further that no person who has given a notice of withdrawal of his candidature under rule 5 (5) before countermanding of the poll shall be ineligible for being nominated as a candidate for the election after such countermanding.

12. The Returning Officer shall appoint polling personnel who shall be the Presiding Officers and the Polling Officers, for conducting of the poll. In any emergency the senior Polling Officer shall perform the function of Presiding Officer, and the Presiding Officer may appoint such other personnel as may be necessary:

Appointment of polling personnel.

Provided that no person who has any interest or has already been appointed as agent or is any way related to or connected with the contesting candidate shall be appointed as a polling personnel.

13. At every election where a poll is taken voting shall be by secret ballot by marking system of voting:

Method of voting.

Provided that votes shall be cast in person and shall not be received by proxy.

14. No person shall vote in any constituency if he is subject to any of the disqualifications for registration in the electoral rolls and only such persons who are for the time being entered in the electoral roll of any constituency shall be entitled to cast his vote in that constituency, and no person shall vote more than once notwithstanding that his name may have been registered in the electoral roll for that constituency more than once, and if he does so all his votes in that constituency shall be void.

Right to vote.

15. (1) Each polling station shall have separate booth for each ward and outside such booth shall be displayed prominently:—

Arrangement at polling stations.

- (a) a notice specifying the polling area along with the list of electors entitled to vote at the polling booth; and
- (b) another notice giving the names of candidates in the same script and in the same order in which the names of such candidates appear in the list of contesting candidates published under rule 10 together with the description of the symbol which has been assigned to each such candidate under rule 7.

(2) At each polling booth, there shall be set up one or two compartments in which electors can record their votes screened from observation.

(3) The Deputy Commissioner shall provide at each polling station a sufficient number of ballot boxes, copies of the relevant part of the electoral rolls, the ballot papers, and other articles necessary for the conduct of poll.

16. The Presiding Officer shall regulate the number of electors to be admitted at anyone time inside the polling station and shall exclude therefrom all persons other than:—

- (a) Polling Officers;
- (b) candidates, their agents;
- (c) persons authorised by the Deputy Commissioner;
- (d) public servants on duty in connection with the election;
- (e) a child in arms accompanying an elector, companion of blind or infirm elector who cannot move without help; and
- (f) Director of Elections (Local Bodies) or such other persons as may be authorised by him.

17. (1) As soon as the elector enters into the polling booth the Polling Officer in charge of the electoral roll shall ascertain the elector's name and address and such other particulars as appear on the electoral roll and after having satisfied himself about the identity of the elector shall supply a ballot paper to the elector. The Presiding Officer or the Polling Officer, as the case may be, shall at the time of delivery of the ballot paper, place against the entry relating to the elector the serial number of the ballot paper.

(2) No other person in the polling station shall note down the serial number of the ballot paper issued to a particular elector.

(3) The ballot paper shall be marked by the elector with such instrument as may be approved by the Director of Elections (Local Bodies). The elector shall mark the ballot paper secretly in a voting compartment provided for the purpose, whereafter the ballot paper shall be folded in such a way so as to conceal the mark on the ballot paper.

(4) The elector thereafter shall insert the ballot paper into the ballot box kept for this purpose in the polling booth. The ballot box so used shall be prepared before poll in accordance with the directions on the subject by the Director of Elections (Local Bodies).

18. (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity an elector is unable to recognise the symbols on the ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit the elector to take with him a companion of not less than 21 years of age to the voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his wishes, and, if necessary, for folding the ballot paper so as to conceal the vote and inserting it into the ballot box:

Provided that no person shall be permitted to act as the companion of more than one elector at any polling booth on the same day:

Provided further that before any person is permitted to act as the companion of an elector on any day under this rule, the person shall be required to declare in form 6 that he will keep secret the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any polling booth on that day.

(2) The Presiding Officer shall keep a record of all cases under this rule.

19. (1) If at an election the proceedings at any polling booth are interrupted or obstructed by riot or open violence, or if at an election it is not possible to take the poll at any polling station on account of any natural calamity or any other sufficient cause, the Presiding Officer for such polling

Admission
to polling
station.

Voting
procedure.

Recording
of votes of
blind or
infirm elec-
tors.

Adjourn-
ment of
poll in
emergen-
cies.

station shall announce an adjournment of the poll to a date to be notified later and shall forthwith inform the Deputy Commissioner.

(2) Where a poll is adjourned under sub-rule (1) the Deputy Commissioner shall immediately report the circumstances to the Director of Elections (Local Bodies) and shall, as soon as may be, appoint the day on which the poll shall recommence and fix the polling station at which and the hours during which, the poll will be taken and the votes cast at such election shall not be counted until such adjourned poll is completed.

(3) In every such case as aforesaid, the Deputy Commissioner shall affix a notice specifying the date, place and hours of polling fixed under sub-rule (2) at his office, at the office of Tehsildar, Gram Sabha and other conspicuous places as may be considered fit.

20. (1) If at any election any ballot box or boxes is or are unlawfully taken out of the custody of the Presiding Officer or Polling Officer or is or are in any way tampered with, or is or are either accidentally or intentionally destroyed, lost or damaged, the polling at that polling booth to which such ballot box or boxes relate shall be liable to be declared as void.

Fresh poll
in the case
of destruc-
tion etc. of
ballot
boxes.

(2) Whenever the polling at any polling station or booth become liable to be declared as void under sub-rule (1), the Presiding Officer shall, as soon as practicable after the act or event causing such voidance has come to his knowledge, report the matter to the Deputy Commissioner, who in the event of his being so satisfied that in consequence thereof the result of the poll of that polling station cannot be ascertained, declare the election void and shall appoint a day for the taking of fresh poll in such or every such polling stations or booths and the hours during which the poll will be taken and shall not count the votes cast at such election until such fresh poll has been completed.

(3) The provision of these rules shall apply to every such fresh poll as they apply to the original poll.

21. The candidate at an election may appoint in writing any one person other than himself to be his Election/Polling/Counting Agent and when any such appointment is made he shall give notice in writing to the Returning Officer. The person so appointed shall accept such an appointment in writing and shall inform the Returning Officer.

Appoint-
ment of
election,
polling and
counting
agents.

22. If it appears to the Deputy Commissioner that in connection with an election held within his jurisdiction:—

Requisi-
tioning of
premises,
vehicles,
etc. for
election
purposes.

- (a) any premises are needed or are likely to be needed for the purpose of being used as a polling station or for the storage of ballot boxes after a poll has been taken, or
- (b) any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes, police force for maintaining order during the conduct of such election or transport of any officer or other person for performance of any duties in connection with such election,

the Deputy Commissioner may by order in writing requisition such premises, or such vehicle, vessel or animal, as the case may be, and may make such further orders as may appear to him to be necessary or expedient in connection with the requisitioning.

23. The Deputy Commissioner shall make suitable arrangements and provide necessary security to maintain law and order at each polling station. Such security staff provided at the polling station shall act under the directions

Mainte-
nance of
law and
order.

and control of the Presiding Officer. The Presiding Officer shall be responsible for the maintenance of law and order within the limits of the polling station.

Challenged votes.

24. Where the identity of a person intending to cast his vote has been challenged by the candidate or his agent, the Presiding Officer will make suitable enquiry and if he is satisfied with correctness of the fact of challenge he will not allow such person to cast his vote.

25. The Presiding or the Polling Officer, as the case may be, at the conclusion of the poll shall keep in separate cover which shall be sealed the following paper:—

- (1) marked copy of electoral roll,
- (2) other copies of electoral rolls,
- (3) list of challenged votes,
- (4) declaration by the companion of blind or infirm voters,
- (5) ballot paper account,
- (6) paper seal account,
- (7) un-used ballot papers,
- (8) cancelled ballot papers,
- (9) other miscellaneous record prepared by the Presiding Officer including appointment of agents etc., or directed by the Director of Elections (Local Bodies).

PART IV

COUNTING OF VOTES AND DECLARATION OF RESULTS

Counting of votes.

26. Immediately after the close of poll, the Returning Officer shall make arrangements for the counting of votes. He will allow an opportunity to candidates or their agents to inspect the ballot boxes in order to satisfy them that the seals are intact. Thereafter he will open the ballot boxes in the order of serial number of constituencies one after another. After opening the ballot box, the ballot papers found in the box will be counted and an entry to this effect shall be made in the ballot paper account (in form 7). Thereafter the ballot papers will be sorted out and arranged candidate-wise. The ballot papers bearing no mark or having mark in the blank area or having mark against two or more candidates or having any writing or mark by which the voter can be identified or the ballot paper which is mutilated beyond recognition or the ballot paper is not genuine shall be rejected and kept in a separate bundle. Such rejection will be made after recording reasons therefor on the ballot paper and signed by the Returning Officer. Thereafter all the valid ballot papers shall be counted candidate-wise and shall be kept in separate bundles of the constituency concerned after recording the result of each candidate in the return of election (in form 8). The number of rejected ballot papers shall also be shown in the return of election.

Declaration of result.

27. When the counting of votes has been completed, the Returning Officer shall forthwith declare the result in form 9 in the following manner:—

- (a) The candidate who is found to have obtained the largest number of valid votes shall be declared to have been elected; and
- (b) If, after the counting of votes tie is found to exist between any candidates, and the addition of one vote will entitle any of these candidates to be declared elected, that shall forthwith be decided between those candidates by lot, and the candidate on whom the lot falls shall be considered to have received an additional vote and shall be declared to be duly elected;

- (c) After declaration of result of election of all the seats in the Gram Sabha the Returning Officer shall forthwith prepare a consolidated return in form 8 in respect of all the constituencies and shall forthwith paste a copy of the same on the notice board of the office of the Gram Sabha and send two copies to the Deputy Commissioner for further necessary action;
- (d) The Deputy Commissioner shall send a copy of the return of election in respect of all the Gram Sabhas where the poll is held to the Director of Elections (Local Bodies). A similar list in respect of uncontested elections shall also be sent to the Director of Elections (Local Bodies).

28. The Deputy Commissioner shall notify the names of the elected members of the Gram Sabha which shall be published in the Official Gazette.

Notification of election.

29. When a vacancy occurs among the elected members of a Gram Panchayat, by death, resignation or removal and a new member has to be elected in his place in accordance with the provisions of section 11 of the Act, such election shall be conducted in the manner as prescribed in these rules for a general election and the programme of the election shall be framed as soon as may be convenient, after the occurrence of the vacancy.

Casual vacancies.

30. The Panchayat elections shall be conducted under the superintendence and control of the Director of Elections (Local Bodies). He shall issue directions in this behalf as he may consider appropriate. In case there is any doubt or dispute regarding interpretation of these rules, the decision of the Director of Elections (Local Bodies) shall be final.

Superintendence, control and direction.

31. (1) While in the custody of the Deputy Commissioner:—

- (a) the packets of unused ballot papers;
- (b) the packets of used ballot papers valid, or rejected; and
- (c) the packets of marked copy of the electoral roll;

Production and inspection of election papers.

shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under the order of the competent court or tribunal.

(2) All other papers relating to the election shall be open to public inspection and any person may apply for such an inspection or supply of certified copy thereof on payment of a fee at the same rate as is charged in Himachal Pradesh for the inspection of documents forming part of a record of a case dealt with by a Revenue Officer or for supply of a copy of an order by a Revenue Officer, as the case may be, and such copies shall be supplied in accordance with the procedure to be followed for a similar application in respect of a case dealt with by Revenue Officer.

32. The Deputy Commissioner shall retain the packets of unused ballot papers, the packets of used ballot papers whether valid, or rejected and all other papers relating to the elections in safe custody until the expiry of one year from the date of publication of the result of election and thereafter dispose of the same in such a manner as he may deem fit:

Custody and disposal of election papers.

Provided that if an election petition is filed, the packets and other papers referred to in the rule shall not be destroyed unless the petition is finally disposed of.

FORM "1"

[See rule 6(5)]

Election to the*

I nominate as a candidate for election to the

constituency.

Candidate's name.....

Postal address.....

His name is entered at serial No....., in the electoral roll for..... constituency.

My name is entered at serial No....., in the electoral roll for..... constituency.

Date.....

Signature of proposer.

I, the above mentioned candidate, assent to this nomination and hereby declare that—

(a) I have completed..... years of age,

**(b) I further declare that I am a member of the..... caste/tribe which is a Scheduled Caste or Scheduled Tribe of the State.

Signature of candidate.

*Appropriate particulars of the election to be entered here.

**Strike off if not appropriate.

(To be filled in by the Returning Officer)

Serial No. of nomination paper.....

This nomination paper was delivered to me at(place),at (hours).....on(date) by the *candidate/proposer.

Date.....

Returning Officer.

*Score out the words not applicable.

(Decision of the Returning Officer accepting or rejecting the nomination papers)

I have examined this nomination paper in accordance with the law and decide as follows:—

Date.....

Returning Officer.

The candidate has not withdrawn his candidature nor his nomination paper has been rejected symbol has been allotted.

Date.....

Returning Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE OF SCRUTINY

(To be handed over to the person presenting the nomination paper)

Serial No. of nomination paper.....

The nomination paper of..... a candidate for election from the..... delivered to me at my office at..... (hour) on..... (date) by the *candidate/ proposer. All nomination papers will be taken up for scrutiny at..... (hour) on..... (date) at..... (place).

Date.....

Returning Officer.

*Score out the word not applicable.

FORM "2"

[See rule 5(5)]

NOTICE OF WITHDRAWAL

Election to the from the constituency

To

The Returning Officer,

.....
.....

I,..... a candidate nominated at the above election do hereby give notice that I withdraw my candidature.

Place.....

Signature of candidate.

Date.....

This notice was delivered to me at my office at..... (hour) on..... (date) by..... (name).

Returning Officer,

.....
.....

RECEIPT FOR NOTICE OF WITHDRAWAL

(To be handed over to the person delivering the Notice)

The notice of withdrawal of candidature by.....
a candidate at the election to the.....from the.....
constituency was delivered to me by the*.....
at my office at.....(hour) on.....
(date).....

Returning Officer,

*Here insert one of the following alternatives as may be appropriate:—

(1) Candidate.
(2) Candidate's proposer who has been authorised in writing by the candidate to deliver it.

FORM "3"

(See rule 9)

FOR USE IN ELECTION WHEN SEAT IS UNCONTESTED

Declaration of the result of election to the.....from the
.....constituency.

In pursuance of the provisions contained in rule 9 of the Himachal Pradesh Panchayat (Election) Rules, 1970, I declare that:—

.....(Name)
.....(Address)

has been duly elected to fill a seat in the.....from the above constituency.

Signature.....

Place.....

Returning Officer,

Date.....

FORM "4"
(See rule 10)

LIST OF CONTESTING CANDIDATES

Election to the..... from the.....
constituency.

| Sl. No. | Name of candidate | Address of candidate | Symbol allotted |
|------------|-------------------|----------------------|-----------------|
| | | | |

Returning Officer

Place.....
Date.....

FORM "5"
[See rule 10(2)]

BALLOT PAPER

Gram Sabha
Constituency

| Sl. No. | Name of candidate | Symbol and mark |
|---------|-------------------|-----------------|
| | | |

FORM "6"
(See rule 18)

DECLARATION BY THE COMPANION OF BLIND OR INFIRM
ELECTOR

.....(Constituency)..... Gram Sabha
Serial No. and name of polling station.....

I,..... son of..... aged.... resident
of*..... hereby declare that—

(a) I have not acted as companion of any other elector at any other
polling station today, the.....; and
(b) I will keep secret the vote recorded by me on behalf of†.....

.....
Signature of Companion.

*Full address to be given.

†Name and electoral roll number of elector to be given.

FORM "7"
(See rule 26)

PART I—BALLOT PAPER ACCOUNT

Election to the..... from the..... constituency
No. and name of polling station.....

| | Serial number | Total number |
|-----------------------------------|------------------|--------------|
| 1. Ballot papers received | .. | |
| 2. Ballot papers not used | .. | |
| 3. Ballot papers issued to voters | .. | |
| 4. Ballot papers cancelled | .. | |

Date..... Signature of Presiding Officer.

PART II—RESULT OF COUNTING

| | Name of candidate | Number of valid votes cast |
|------|-------------------|----------------------------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| etc. | | |

Rejected ballot papers.....
Total No. of ballot papers found in the ballot box(s).....

Signature of Counting Supervisor.

Date..... Signature of the Returning Officer.

FORM "8"

[See rules 26 & 27(c)]

RETURN OF ELECTION

Election to the..... from the..... constituency

| Serial No. | Name of candidate | Number of valid votes polled |
|---------------|-------------------|------------------------------|
| | | |

Total number of valid votes polled.....
Total number of rejected votes.....Place.....
Date.....

Returning Officer,

FORM "9"

(See rule 27)

DECLARATION OF RESULT OF ELECTION WHEN SEAT IS CONTESTED

Election to (Constituency)
of Gram Sabha.

In pursuance of the provisions contained in rule 26 of the Himachal Pradesh Panchayat (Election) Rules, 1970, I declare that (Name) (Address) has been duly elected to fill the seat in the Gram Sabha from (constituency).

Signature

Returning Officer,

Place.....

Date.....

Simla-2, the 16th November, 1970

No. 4-5/70-Elec.—In exercise of the powers conferred by section 163 of the Himachal Pradesh Panchayati Raj Act, 1968, the Administrator proposes to make the following draft rules entitled to the Himachal Pradesh Zila Parishad Election Rules, 1970 and the same are hereby published in the Official Gazette for the information of the general public and a notice is hereby given that these draft rules may be taken into consideration after fifteen days from the date of publication in the Gazette.

If any person affected thereby, desires to take any objection or has any suggestion to make, regarding these draft rules he can send the same to the Secretary (Elections) to Himachal Pradesh Government, before the expiry of above period. The objections or suggestions, if any, so received, will be taken into consideration before finalising such rules.

DRAFT RULES

PART I

1. (1) These rules may be called the Himachal Pradesh Zila Parishad Election Rules, 1970.

Short title
and
commencement.

(2) They shall come into force at once.

2. In these rules, unless there is anything repugnant in the subject or the context;—

(1) "Act" means the Himachal Pradesh Panchayati Raj Act, 1968.

(2) "Agent" means any person appointed in writing by a candidate at an election to be his agent for the purposes of his election with the written consent of such person.

(3) "Director of Elections (Local Bodies)" means any person who is appointed by the State Government to perform the functions of the Director of Elections (Local Bodies), for the purposes of these rules.

(4) "Election" means an election held to elect a member of the Zila Parishad.

(5) "Elector" means a member of Panchayat Samiti.

(6) "Returning Officer" means an officer appointed for the conduct of election and includes the Assistant Returning Officer.

(7) "Polling personnel" means the person or persons appointed to conduct or to assist in the conduct of elections.

(8) "Form" means a form appended to these rules.

(9) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

PART II

PREPARATION OF ELECTORAL ROLLS OF ZILA PARISHAD

Preparation of electoral rolls for Zila Parishad.

3. The electoral rolls for Zila Parishad election shall be prepared in the form appended to these rules under the directions of Deputy Commissioner which shall be in Dev Nagari script and hand written in ink or typed or cyclostyled.

PART III

ELECTION TO ZILA PARISHAD

4. For the purposes of election to Zila Parishad rules 5 to 32 for part III and IV of the Himachal Pradesh Gram Panchayat (Election) Rules, 1970 shall apply *mutatis-mutandis* subject to following substitution:—

(i) In rule 5(4) the time limit provided between the date of withdrawal and the date of poll shall be substituted by ten days in place of twenty-one days.

(ii) Substitute opening part of 15(1) as under:—

"15.(1) *Arrangement at polling station.*—There shall be one or more polling station for the election of the Zila Parishad."

(iii) For the purposes of these rules, the words Gram Sabha or Gram Panchayat wherever appearing in the rules from 5 to 32 shall be substituted by the words Zila Parishads.

FORM

(See rule 3)

ZILA PARISHAD ELECTORAL ROLL 19.....OFDISTRICT

| Serial No. | Name of Panchayat Samiti to which he is a member | Name of elector |
|------------|--|-----------------|
| | | |

Simla-2, the 16th November, 1970

No. 4-5/70-Elec.—In exercise of the powers conferred by section 163 of the Himachal Pradesh Panchayati Raj Act, 1968, the Administrator proposes to make the following draft rules entitled as the Himachal Pradesh Panchayat Samitis Election Rules, 1970 and the same are hereby published in the Official Gazette for the information of the general public and a notice is hereby given that these draft rules will be taken into consideration after fifteen days from the date of publication in the Gazette.

If any person affected thereby, desires to take any objection or has any suggestion to make, regarding these draft rules he can send the same to the Secretary (Elections) to Himachal Pradesh Government before the expiry of the above period. The objections or suggestions, if any, so received, will be taken into consideration before finalising such rules.

DRAFT RULES

PART I

1. (1) These rules may be called the Himachal Pradesh Panchayat Samitis Election Rules, 1970.
(2) They shall come into force at once.

2. In these rules, unless there is anything repugnant in the subject or the context:—

- (1) "Act" means the Himachal Pradesh Panchayati Raj Act, 1968.
- (2) "Agent" means any person appointed in writing by a candidate at an election to be his agent for the purposes of his election with the written consent of such person.
- (3) "Constituency" means a constituency provided for the purpose of elections to a Panchayat Samiti.
- (4) "Director of Elections (Local Bodies)" means any person who is appointed by the State Government to perform the functions of the Director of Elections (Local Bodies), for the purposes of these rules.
- (5) "Election" means an election held to elect a primary member of a Panchayat Samiti.
- (6) "Elector" means a person who is a voter under section 63(a) of the Act.
- (7) "Returning Officer" means an officer appointed for the conduct of elections and includes the Assistant Returning Officer.
- (8) "Polling personnel" means the person or persons appointed to conduct or to assist in the conduct of elections.
- (9) "Form" means a form appended to these rules.
- (10) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

PART II

DELIMITATION OF CONSTITUENCIES AND PREPARATION OF ELECTORAL ROLLS OF PANCHAYAT SAMITIS

3. The Deputy Commissioner shall divide the Panchayat Samiti into twenty constituencies for the purposes of election to a Panchayat Samiti. A Gram Panchayat shall not be divided in parts for the purpose of delimitation of constituencies.

Delimitation of Constituencies.

Provided that before issuing a final order delimiting the constituencies, the Deputy Commissioner or any officer authorised by him, shall hear objections, if any, in respect thereof for which a public notice shall be given.

4. The electoral roll in respect of a constituency of a Panchayat Samiti shall be prepared in the form appended to these rules under the directions of Deputy Commissioner, which shall be in Dev Nagari script and hand written in ink or typed or cyclostyled.

Preparation
of electoral
rolls for
Panchayat
Samiti.

PART III

ELECTION TO PANCHAYAT SAMITIS

5. For the purposes of election of Panchayat Samitis, rules 5 to 31 of parts III and IV of the Himachal Pradesh Gram Panchayat (Election) Rules, 1970 shall apply *mutatis-mutandis* subject to following substitutions:—

(1) Opening part of rule 15(1) shall be substituted as under:—

“15. *Arrangement at polling station*.—(1) There shall be one or more polling stations for each constituency and outside such polling stations shall be displayed prominently.”

(2) For the purposes of these rules, the words Gram Sabha or Gram Panchayat wherever appearing in the rules from 5 to 31 shall be substituted by the words Panchayat Samitis.

FORM

(See rule 4)

PANCHAYAT SAMITI ELECTORAL ROLL 19

Name of Constituency.....

Name of Panchayat Samiti.....

Name of District.....

| Serial No. | Name of Panchayat | Name of Elector |
|------------|-------------------|-----------------|
| | | |

By order,
D. B. LAL,
Secretary.